

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

KIM CAMILLE FLORENCE,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:23-cv-00125-CDL-MSH
	:	
Sheriff GREG COUNTRYMAN,	:	
	:	
Respondent.	:	

NOTIFICATION OF MOTION TO DISMISS

On March 22, 2024, Respondent filed a motion to dismiss (ECF No. 41) the above-styled petition. The Court is required to adequately advise Petitioner of the significance of Respondent's motion pursuant to *Griffith v. Wainwright*, 772 F.2d 822 (11th Cir. 1985) (per curiam). In an effort to afford Petitioner, who is proceeding *pro se*, adequate notice and time to respond to Respondent's motion, the following notice is given.

Under the procedures and policies of this Court, motions to dismiss are normally decided on briefs. The Court considers the pleadings and the petition in deciding whether dismissal is appropriate. The parties may submit their argument to this Court by filing briefs in support of or briefs in opposition to said motion. The law provides that the party against whom dismissal is sought must be given ten (10) days-notice of the dismissal rules. In addition, the party upon whom a motion to dismiss has been filed has the right to file a brief in opposition to a motion to dismiss. If she fails to file a brief in opposition to the motion to dismiss, a final judgment may be rendered against her if otherwise appropriate

under law.

FAILURE OF PETITIONER TO RESPOND TO AND REBUT THE LEGAL ARGUMENTS SET FORTH IN RESPONDENT'S BRIEF MAY RESULT IN SAID STATEMENTS BEING ACCEPTED AS UNCONTESTED AND CORRECT. The Court could grant judgment to Respondent and there would be no trial or further proceedings.

Accordingly, Petitioner is NOTIFIED of her right to file a response to Respondent's motion to dismiss. Petitioner should file such response WITHIN THIRTY (30) DAYS of the date of this Order. Thereafter, the Court will consider Respondent's motion to dismiss (ECF No. 41) and any opposition to the same filed by Petitioner, and issue its ruling thereon.

SO ORDERED, this 25th day of March, 2024.

/s/ Stephen Hyles

UNITED STATES MAGISTRATE JUDGE